

STATE OF HAWAII
NOTICE OF EXEMPTION FROM CHAPTER 103D, HRS

09 AUG 20 P3:15

The Chief Procurement Officer is in the process of reviewing the request from the Department of Transportation for exemption from Chapter 103D, HRS, for the following goods, services, or construction:

Services to obtain fingerprint based criminal history background record checks from the American Association of Airport Executives (AAAE) Transportation Security Clearing House for all airport employees and tenants who require unescorted security clearance or who perform their duties within the "sterile" areas of the airport.

Vendor: American Association of Airport Executives

Address: 601 Madison Street, Suite 400
 Alexandria, VA 22314

Term of Contract:

From: ~~July 1, 2009~~

Aug. 20, 2009 to 8/24

To: June 30, 2011

2010 to 8/24

Cost: \$300,000.00

(\$27.00 per record check)

Direct any inquiries to:

Department: Transportation

Contact Name/Title: James Pratt/Airside Operations Manager

Address: 300 Rodgers Blvd., #12
 Honolulu, HI 96819-1897

Phone Number: 836-6428

Fax Number: 836-6468

Date Posted: 8/24/09

A copy of this notice of exemption from Chapter 103D, HRS, shall be posted by the Chief Procurement Officer and the purchasing agency in an area accessible to the public, at least seven (7) calendar days prior to any approval action.

Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days from the date posted to:

Chief Procurement Officer

Office/Agency _____

Address _____

STATE OF HAWAII

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

TO: Chief Procurement Officer

FROM: DOT/Airports Division/Oahu District
(Department/Division/Agency)

Pursuant to § 103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

Description of goods, services, or construction:

Services to obtain fingerprint based criminal history background record checks from the American Association of Airport Executives (AAAE) Transportation Security Clearing House for all airport employees and tenants who require unescorted security clearance or who perform their duties within the "sterile" areas of the airport.

Name of Vendor: American Association of Airport Executives
Address: 601 Madison Street, Suite 400
Alexandria, VA 22314

Cost: \$300,000.00
(\$27.00 per record check)

Term of Contract:

From: ~~July 1, 2009~~To: June 30, ~~2011~~ 2010aug 20 2009
62 8/24

Prior Exemption Ref. No. (if applicable)
08-152-C

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

The U.S. Department of Homeland Security endorses the services provided by AAAE and mandated that airport operators conduct criminal history record checks of all individuals who perform duties in the airport's sterile area or have unescorted access to the airport's security identification display area (Aviation Security Directive 1542-04-08G). The \$27.00 fee is broken down as follows:

- \$22.00 to the FBI for conducting the criminal history background check
- \$ 3.00 to U.S. Office of Personnel Management (OPM) for its services
- \$ 2.00 to the AAAE for processing, accounting and other administrative expenses.

Furthermore, in accordance with Aviation Security Directive 1542-04-08G, airport operators must submit fingerprints for each individual who is applying for or performs duties in the sterile area to the Transportation Security Clearing House, except for individuals who have already successfully completed a fingerprint-based criminal history records check.

Using AAAE's services greatly reduces airport costs and improves turnaround times to obtain security clearances for personnel who are required to obtain a security clearance.

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

The AAAE is comprised of various airlines and airports who become paying members of this organization. The organization was developed to lobby the federal government to keep airline and airport costs down. There are no reasons to believe that another entity would be able to provide such an affordable, accurate and timely service at this time. The AAAE is the only non-government agency that performs this function. As stated in Exemption 08-152-C, AAAE is not able to supply the State with the documentation required under Section 103D-310, HRS. An exemption from that requirement is also included in this request.

A description of the agency's internal controls and approval requirements for the exempted procurement:

Purchase orders will be issued on a quarterly basis following our Department's procurement delegation.

A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Joseph Guyton, Airport Security Manager
James Pratt, Airside Operations Manger
Benjamin Schlapak, Airport Manager, Oahu District
Brian Sekiguchi, Deputy Director for Airports
Brennon Morioka, Director

Direct questions to:

James Pratt

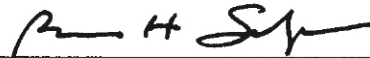


Phone Number:

836-6428

This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: Yes ☐ No ☒

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS, TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT.



AUG 12 2009

Department Head or Designee

Date

Deputy Director

Title (If other than Department Head)

Chief Procurement Officer's Comments:

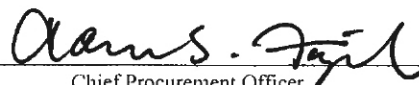
This approval is for the period August 20, 2009 through June 30, 2010. The approval is based on DOT's statement that it is the Federal Government's (TSA) directive that required the DOT to use AAAE for these services. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply. Department is reminded that procurements \$2,500 or more are required to be posted on the Procurement Reporting System.

SPO form 7 (rev 4/28/08), available at www.hawaii.gov/spo, is the current form that shall be used for all future requests.

Please ensure adherence to applicable administrative requirements.

☒ APPROVED

☐ DISAPPROVED



Chief Procurement Officer

9/28/09

Date

cc: Administrator,
State Procurement Office